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way to the (much smaller) tax-receipts made out for individuals. It is, in fact, the present official policy of the Administration to encourage the issue and acceptance of individual tax-receipts throughout the country. Taxation thus ignores and even denies in its own powerful province the existence of the family unit—with what results we shall see later.

LAW

Let me try first to give a picture of the judicial system of Nupe kingdom as it existed in pre-European times. This is, naturally, an historical reconstruction. But the history to which it refers is not the history of a mythical past. It is a history well documented, and obtained from information which seems reliable and significant and which, collected from different sources, shows remarkable agreement on all main points. My chief informants were village elders and chiefs and the Mohammedan judges of Bida Emirate who, in charge of modern jurisdiction to-day, have witnessed and partly practised themselves the old system.

The theoretical difficulties with which the student of law in primitive cultures is faced are absent in our investigation. The problem, especially, whether to define the province of law on the narrow basis of systematic social control exercised by a politically organized society (Radcliffe-Brown) or, more comprehensively, as embracing all social sanctions that make for uniformity of conduct (Malinowski), is decided for us by the nature of the society which we are studying in the sense of the former essentially modern interpretation. Law in Nupe kingdom is quite conspicuously a concern of the political organization and forms part of the elaborate coercive machinery of the state. This does not mean that no sanctions or forms of redress exist which are applied outside the political framework and left to the more diffuse workings of public opinion and individual or group 'self-help'. But the scope of this non-political (or extra-political) law is extremely restricted. It comprises only two types of offences: religious offences—desecration of sacred objects or places, both Mohammedan and pagan—and kinship offences—litigation over inheritance, offences against traditional marriage rules (i.e. marriages in forbidden degrees), and also incest. I cannot describe here in detail the treatment which Nupe society meted out to individuals guilty of these offences. Suffice it to say that public ostracism which might force the culprit to self-exile or to confidence in his vindication by the deity was its main feature. The society thus exempted from its otherwise comprehensive scheme of formal political jurisdiction the two offences which were either of a nature transcending human justice (as in the case of religious offences, and also partly incest) or concerned only internal frictions in individual kinship groups. All offences that affected the relations between kinship groups or individuals from different kinship groups, and all crimes against human life, were regarded as a concern of the community at large.

But the comprehensiveness of political jurisdiction admitted of two degrees. Traditional Nupe law operated with a legal distinction which, corresponding in certain respects to the modern distinction between

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673 civil and criminal law, defined two classes of delicts: simpler delicts, which were settled by 'repairing' the damage that had been done, and here the Nupe did not speak of sentence or judgement but of *gyara*, reparation, or arbitration; and graver delicts, 'criminal' cases in the modern sense, which called for formal judgement and punishment—*sheri'a*. The following table summarizes the various crimes and offences according to this twofold classification. Let me emphasize that these data are widely known, and that every village elder or older man in Bida is able to enumerate and explain the types of offences and the nature of the punishment. This wide-spread legal knowledge is clearly the psychological counterpart of the systematic co-ordination and centralization of Nupe jurisdiction.

Offences involving *gyara*	Offences involving *sheri'a*
Debts, small.	Debts, large.
Theft on a small scale and during the day; theft of fowls, sheep, and goats.	Theft on a large scale, theft of cattle or horses, and all theft committed during the night.
Adultery.	Adultery leading to fights and bloodshed.
Seduction of girl by unmarried man who is willing to marry her.	Seduction by married man who refuses to marry the girl.
	Murder and manslaughter.
	Highway robbery.
	Arson.
	High treason, i.e. rebellion of feudal lords against the king.
	Lèse-majesté (*gi tokó nyá tsu*, lit. abuse of the king).

692 The first type of offences was a matter for the local authority. In the royal domains it was dealt with by the chief and the elders, in the fief by the delegate of the feudal lord who resided in the village, in consultation with chief and elders. The sentences which this local tribunal could inflict were fines, flogging, and *shelá*, a practice closely akin to pillory: the culprit was marched through the village accompanied by drummers who proclaimed his offence.

The graver crimes, crimes which demanded *sheri'a*, were referred to the central authority—the court of the king and *Alkali* in Bida. They were, in fact, also called *leifi nyá tsu*, 'crimes of the king'. This highest court of Nupe could inflict sentences of every order, above all, the death penalty. The offences were brought to the notice of the central authority 694 through the feudal lords and delegates. The villagers would report to their overlord in the town, or the feudal lord would have the news from his local delegate, and would then inform the supreme court of Nupe. The criminal was apprehended by the king's slave police and taken to the capital where the court was sitting. This system which made the 696 feudal lords and delegates the 'recorders' of crimes and offences laid itself open to many abuses. The feudal lords could be influenced in favour of a better paying claimant, or prevented by bribes from reporting a particular case. The usual procedure as regards, for example, theft or debts was described to me thus: Up to the value of 10s. nothing